

Incident Report

WINNEBAGO COUNTY SHERIFF'S OFFICE
4311 JACKSON STREET
OSHKOSH, WISCONSIN 54901
9202367300Q

Incident Number: OP16-011469

Incident Summary

Incident Type:	SEX OFFENSES	Report Type:	
Inc Occurred Address:	1730 W SNELL RD, OSHKOSH, WISCONSIN 54901	Sector/Beat:	S702/WS72
Inc Occurred Start:	07/01/2010 00:00	Inc Occurred End:	04/14/2016 11:27
Domestic:	N	Bias Motivation:	Gang Related: N
Other Agency:			Substance: U
Reporting Officer:	ARTUS, DEAN	Primary Assigned Officer:	COURT, OP
Case Status:	CLOSED - DA DECIClearance:	CLOSED - DA DECLINED PROSECUTION	Clearance Date/Time: 09/07/2016 09:54
Jurisdiction:			
Approved by:	KAISER, REBECCA	Approved date/time:	04/28/2016 16:14
			Approve status: Approved

Offenses

Statute Code: 961.41(1)(B)
Enhancers:
Statute Desc: DELIVERY OF SCHEDULE I/II/III NON-NARCOTIC DRUG GENERALLY
Counts: 1 Statute Severity:

Officers

Event Association	Emp#	Badge#	Name	Squad#
PRIMARY REPORTING OFFICER	S241	S241	ARTUS, DEAN	
PRIMARY ASSIGNED OFFICER	S241	S241	ARTUS, DEAN	
PRIMARY ASSIGNED OFFICER			COURT, OP	

Associated Events

Association:	Event Type:	Event#:	Event Date (Start):	Event Date (End):	Agency:
ARREST TO INCIDENT	ARREST	OP16-011469	9/7/2016 09:54:00	4/14/2016 11:27:00	OP

List of Attachments

Type: Report ID: Report Date: Report Summary:
VICTIM INFORMATION SHEET
NON-CONSENT FORM

Persons Involved

Person#: 0001	MNI: 378818	Contact Date/Time: 04/14/2016 11:27	
Event Association: VICTIM			
Name: MILLER, CRAIG L			
SSN:	DOB: [REDACTED] 1955	Age: 54 - 54 Sex: MALE	Race: BLACK
Height: 5' 7" - 5' 7"	Weight: 152 - 152 lbs	Eye Color: BROWN	Hair Color: BLACK
Phone Type 1:	Phone# 1: (608) 334-3320	Ext 1:	
Phone Type 2:	Phone# 2:	Ext 2:	
DL State: WISCONSIN	DL#: M460-1125-5344-07	DL Exp. Date:	
Occupation:		Employer/School:	
Verified by #1:		Verified by #2:	

Person address(es)

Address: HOME ADDRESS, 1401 MARTIN LUTHER KING DR, RACINE, WISCONSIN 53404

Exhibit 1

WINNEBAGO COUNTY SHERIFF'S OFFICE
4311 JACKSON STREET
OSHKOSH, WISCONSIN 54901
9202367300Q

Incident Number: OP16-011469

Persons Involved

Person#: 0002	MNI: 378819	Contact Date/Time:
Event Association: DEFENDANT		
Name: STRAKS, CAROL T		
SSN:	DOB: [REDACTED] 1961	Age: 48 - 48 Sex: FEMALE
Height:	Weight:	Eye Color:
Phone Type 1: CELL	Phone# 1: (920) 319-9758	Ext 1: 09/07/16
Phone Type 2:	Phone# 2:	Ext 2:
DL State:	DL#:	DL Exp. Date:
Occupation:		Employer/School:
Verified by #1:		Verified by #2:

Person address(es)

Address: HOME ADDRESS, 953 WILCOX ST, APT/SUITE: 101, WAUPUN, WISCONSIN 53963

Person Offenses

Statute Code: 940.225(2)(H)	Enhancers:
Statute Desc: 2ND DEG. SEX. ASSAULT BY CORRECT. STAFF	
Counts: 1	
Statute Code: 961.41(1)(B)	Enhancers:
Statute Desc: DELIVERY OF SCHEDULE I/II/III NON-NARCOTIC DRUG GENERALLY	
Counts: 1	

Businesses Involved

Business # 0001		
Event Association: LAW ENFORCEMENT AGENCY		
Business Name: OSHKOSH CORRECTIONAL INSTITUTION		Business Type: JAIL/PRISON
Phone Type 1: BUSINESS	Phone# 1: (920) 231-4010	Ext 1: 6/17/15
Phone Type 2: BUSINESS	Phone# 2: (920) 232-2608	Ext 2:

Business address(es)

Address: - 1730 W SNELL RD OSHKOSH, WISCONSIN 54901

Deputy District Attorney
SCOTT A. CEMAN

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JAMES CURTIS
Investigator
JEFF VENNE
Victim/Witness Coordinator
TERRI S. VAN DELLEN

Winnebago County
Office of District Attorney
CHRISTIAN A. GOSSETT
DISTRICT ATTORNEY

To: Craig Miller, 2832 Coolidge Street, Madison, WI 53704

From: Atty. Eric Sparr

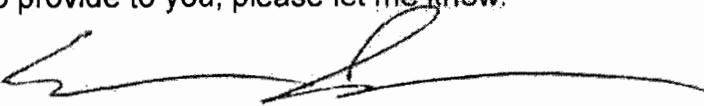
Date: November 30, 2016

Re: referral for criminal charges against Carol Straks OP 16-11469

As I mentioned in our phone conversation today, our office will not be issuing criminal charges against Ms. Straks. However, this should not be taken to mean that I believe these incidents did not happen. I have reviewed the police reports, spoken to Det. Artus, and also to Capt. Toney at Oshkosh Correctional. After all of that, I think this probably happened approximately as you describe. However, we do not issue charges based solely on that. We must examine whether we can prove the case to a jury beyond a reasonable doubt, and my conclusion is that we cannot.

One of the things that went into this determination is that there are things I am aware of (most notably, her current relationship with a former inmate, and her termination from employment subsequent to the incidents alleged for what appears to be missing pills), that a jury would not get to hear. There are other issues that would impact provability as well, such as the timing of the referral, but those can be gleaned from the police reports.

I am happy to assist in getting you the information you need to pursue civil action in this case. I have enclosed the police reports with this letter. You had also inquired about getting a lawyer for a civil lawsuit. While I am not able to make referrals, I can direct you to the Wisconsin Bar Lawyer Referral Service, which exists for this exact purpose. Go to www.wisbar.org and click on the button labeled "I need help from a lawyer near me." I mentioned I could also direct you to some information regarding filing your lawsuit, whether as small claims, or elsewhere. To determine whether small claims is appropriate, you can take a look at <https://www.co.winnebago.wi.us/clerk-courts> and scroll down to the "small claims" section. If there are other documents we might be able to provide to you, please let me know.


Eric Sparr